

*Marian F. Harrison*  
Marian F. Harrison  
US Bankruptcy Judge



Dated: 06/12/13

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE**

In re: )  
 )  
RICHARD DEAN NEBLETT and SUSAN RAE ) Case No. 12-10825  
NEBLETT, ) Chapter 13  
 ) Judge Harrison  
Debtors. )

**AGREED ORDER DENYING TRUSTEE'S MOTION TO DISALLOW CLAIM AND  
PROHIBITING THE ASSESSMENT OF FEES, COSTS, OR SET-OFF**

This matter was scheduled to be heard on May 29, 2013 upon the Trustee's Motion to Disallow Claim of CitiMortgage, Inc. (Payee CitiMortgage, Inc.) Court's Claim No. 17.

In this matter, the Debtors filed a timely claim on behalf of CitiMortgage, Inc. which appears as Court's Claim No. 17. The Trustee objected to Claim No. 17 on the grounds that the note did not accompany the proof of claim and the documents attached to the proof of claim did not support the name of the creditor that appeared on the claim. On June 5, 2013 CitiMortgage amended Court's Claim No. 17 to address the grounds for the Trustee's motion. Based on the amendment, the Trustee, by his electronic signature below, indicates consent to the denial of his Motion to Disallow, on the terms stated in this order.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT the Trustee's Motion to Disallow Claim of CitiMortgage, Inc. (Payee CitiMortgage, Inc.) Court's Claim No. 17 is denied as moot;

IT IS FURTHER ORDERED that CitiMortgage, Inc. and any servicer for CitiMortgage, Inc. are prohibited and forever barred from assessing any fees, costs, or set-off amounts against the Debtor or against the property that serves as collateral for its loan in connection with the motion resolved by this agreed order.

IT IS FURTHER ORDERED that CitiMortgage, Inc. shall not be liable for the fees or costs of the Chapter 13 Trustee or the Chapter 13 Debtor.

**THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED  
AT THE TOP OF THE FIRST PAGE.**

AGREED AND APPROVED BY:

/s/Henry E Hildebrand, III

Henry E. Hildebrand, III  
Chapter 13 Trustee  
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Digitally signed by /s/Henry E Hildebrand, III  
DN: cn=/s/Henry E Hildebrand, III, o=Chapter 13 Trustee,  
ou=Henry E Hildebrand, III, email, c=US  
Date: 2013.06.07 15:25:36 -05'00'

*Chapter 13 Trustee*

/s/ D. Hiatt Collins

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*Attorneys for CitiMortgage, Inc.*

This Order has been electronically  
signed. The Judge's signature and  
Court's seal appear at the top of the  
first page.  
United States Bankruptcy Court.